

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NIGEL LEE WHITTAKER,

Petitioner,

v.

GARY CAPELLO,

Respondent,

CASE NO. 10-11051  
HONORABLE DENISE PAGE HOOD  
UNITED STATES DISTRICT COURT

**JUDGMENT**

The above entitled matter having come before the Court on a Petition for Writ of Habeas Corpus, Honorable Denise Page Hood, a United States District Court Judge, presiding, and in accordance with the Memorandum Opinion and Order entered on July 31, 2013.

IT IS ORDERED AND ADJUDGED that the Petition for Writ of Habeas Corpus is DENIED WITH PREJUDICE.

IT IS FURTHER ORDERED AND ADJUDGED that a Certificate of Appealability is DENIED.

IT IS FURTHER ORDERED that Leave to Appeal *In Forma Pauperis* is GRANTED.

Dated at Detroit, Michigan, this 31st, day of July, 2013.

DAVID J. WEAVER  
CLERK OF THE COURT

APPROVED:

BY: s/LaShawn Saulsberry  
DEPUTY CLERK

s/Denise Page Hood  
HON. DENISE PAGE HOOD  
UNITED STATES DISTRICT JUDGE